

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:06-CR-149

v.

HON. ROBERT HOLMES BELL

RANDOLPH SCOTT PARKS,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on Defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #34). Based on a review of Defendant's motion, the Sentence Modification Report, submissions by counsel for the defendant and for the government, and the original criminal file, the Court has determined that the motion should be denied as follows:

Defendant was sentenced on Counts 1 and 3 of an Indictment charging Possession With Intent to Distribute 50 Grams or More of Cocaine Base in violation of 21 U.S.C. §841(a)(1) and (b)(1)(A)(iii) (Count 1), and Felon in Possession of Firearms in violation of 18 U.S.C. §922(g)(1) (Count 3). Defendant was sentenced as a career offender within the meaning of U.S.S.G. § 4B1.1(a). As such, defendant is ineligible for a reduction in sentence. Accordingly,

Defendant's Motion for Modification or Reduction of Sentence (docket #34) is

DENIED.

DATED: November 10, 2010

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE